

COPY

Due Date: September 5, 2003
Applicant: Aufricht *et al.*

Rule 1.56 IDS 1933.001PC06
Art Unit: 2154

Examiner: (to be assigned)

Application No.: 09/864,293

Docket: 1933.0010008

Filed: May 25, 2001

Atty: MQL/JSW

For: Interactive Advertisement Mechanism On A Mobile Device

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. / SKGF Cover letter;
2. Second Supplemental Information Disclosure Statement;
3. Form PTO-1449 accompanied by five (5) documents; and
4. One return postcard.

PLEASE DATE STAMP AND RETURN TO OUR COURIER





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Jorge A. Goldstein
David K.S. Cornwell
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Michele A. Cimbalà
Michael B. Ray
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Boris A. Matvenko
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* Admitted only in Maryland
* Admitted only in Virginia
* Admitted only in Texas

April 3, 2002

WRITER'S DIRECT NUMBER:
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INTERNET ADDRESS:
CSAYLES@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

Art Unit 2154

Re: U.S. Utility Patent Application
Appl. No. 09/864,293; Filed: May 25, 2001
For: **An Interactive Advertisement Mechanism on a Mobile Device**
Inventors: Aufricht *et al.*
Our Ref: 1933.0010008

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Supplemental Information Disclosure Statement;
2. Form PTO-1449 (2 sheets) listing twenty-three (23) documents;
3. A copy of the listed twenty-three (23) documents; and
4. One (1) return postcard.

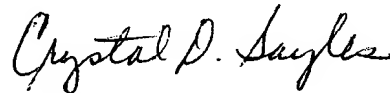
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
April 3, 2002
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Crystal D. Sayles
Attorney for Applicants
Registration No. 44,318

MQL/CDS:kim
Enclosures

P:\USERS\KSACRE\CDSayles\1933\0010008\IDSCvrLtr



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Aufricht *et al.*

Appl. No. 09/864,293

Filed: May 25, 2001

For: **An Interactive Advertisement
Mechanism on a Mobile Device**

Confirmation No. 3536

Art Unit: 2154

Examiner: *To Be Assigned*

Atty. Docket: 1933.0010008

Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution

application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
 - ☐ c. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

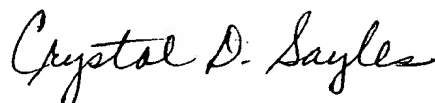
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 5. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 6. Copies of the documents was/were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Crystal D. Sayles
Attorney for Applicants
Registration No. 44,318

Date: April 3, 2002

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1933.0010008APPLICATION NO.
09/864,293APPLICANT
Aufrecht *et al.*FILING DATE
May 25, 2001GROUP
2154

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	5,392,390	02/1995	Crozier	395	161	
	AB1	5,666,530	09/1997	Clark <i>et al.</i>	395	617	
	AC1	5,666,553	09/1997	Crozier	395	803	
	AD1	5,727,159	03/1998	Kikinis	395	200.76	
	AE1	5,727,202	03/1998	Kucala	395	610	
	AF1	5,832,489	11/1998	Kucala	707	10	
	AG1	5,884,323	03/1999	Hawkins <i>et al.</i>	707	201	
	AH1	5,928,329	07/1999	Clark <i>et al.</i>	709	227	
	AI1	5,974,238	10/1999	Chase, Jr.	395	200.78	
	AJ1	6,000,000	12/1999	Hawkins <i>et al.</i>	707	201	
	AK1	6,006,274	12/1999	Hawkins <i>et al.</i>	709	248	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	WO 94/12938	06/1994	WIPO	G06F	15/02	Yes No
	AM1	WO 99/22322	05/1999	WIPO	G06F	17/60	Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	
	AS	1	
	AT	1	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1933.0010008

APPLICATION NO.
09/864,293

APPLICANT
Aufrecht et al.

FILING DATE
May 25, 2001

GROUP
2154

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	6,012,083	01/2000	Savitzky et al.	709	202	
	AB2	6,029,195	02/2000	Herz	709	219	
	AC2	6,052,735	04/2000	Ulrich et al.	709	236	
	AD2	6,148,330	11/2000	Puri et al.	709	217	
	AE2	6,167,255	12/2000	Kennedy, III et al.	455	414	
	AF2	6,209,111 B1	03/2001	Kadyk et al.	714	747	
	AG2	6,023,701	02/2000	Malik et al.	707	10	
	AH2	5,917,491	06/1999	Bauersfeld	345	352	
	AI2	6,122,658	09/2000	Chaddha	709	203	
	AJ2	6,236,991 B1	05/2001	Frauenhofer et al.	707	6	
	AK2						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	
	AS	2	
	AT	2	

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COPY



Applicants: Aufricht *et al.*
Application No.: 09/864,293
Filed: May 25, 2001
For: An Interactive Advertisement Mechanism on a Mobile Device

Due Date: N/A
Art Unit: 2154
Examiner: To Be Assigned
Docket: 1933.0010008
Atty: MQL/CDS

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* Admitted only in Maryland
* Admitted only in Virginia
* Practice Limited to Federal Agencies

August 21, 2003

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2154

Re: U.S. Utility Patent Application
Appl. No. 09/864,293; Filed: May 25, 2001
For: **Interactive Advertisement Mechanism On A Mobile Device**
Inventors: Aufricht *et al.*
Our Ref: 1933.0010008

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Second Supplemental Information Disclosure Statement;
2. Form PTO-1449 accompanied by five (5) documents; and
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Commissioner for Patents

August 21, 2003

Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Jeffrey S. Weaver", is written over a horizontal line.

Jeffrey S. Weaver
Attorney for Applicants
Registration No. 45,608

Enclosures

JSW/sjc
::ODMA\MHODMA\SKGF_DC1;164449;1
SKGF Rev. 2/15/02 dcw; 4/18/03 svb

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Aufricht *et al.*

Appl. No. 09/864,293

Filed: May 25, 2001

For: **Interactive Advertisement
Mechanism On A Mobile Device**

Confirmation No. 3536

Art Unit: 2154

Examiner: *To be assigned*

Atty. Docket: 1933.0010008

Second Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

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Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to

the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form [OR] Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

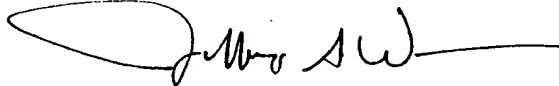
- 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report (document AR2) that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey S. Weaver
Attorney for Applicants
Registration No. 45,608

Date: 9-21-03

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
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SKGF_DC1:170288.1

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1933.0010008APPLICATION NO.
09/864,293APPLICANT
Aufrecht *et al.*FILING DATE
May 25, 2001GROUP
2154

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	5,919,247	July 6, 1999	Arthur Van Hoff <i>et al.</i>			July 24, 1996
	AB1						
	AC1						
	AD1						
	AE1						
	AF1						
	AG1						
	AH1						
	AI1						
	AJ1						
	AK1						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1						Yes No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	Lei, H. <i>et al.</i> , "DataX: An Approach to Ubiquitous Database Access," 2 nd IEEE Workshop on Mobile Computing Systems and Applications (WMCSA), 1999 Proceedings, New Orleans, LA, February 25-26, 1999, IEEE Comput. Soc., Los Alamitos, CA, pages 70-79.
	AS	1	Kalakota, R., "Information Supply-Chains and Webcasting: A Design Framework," Fourth International Workshop on Community Networking, Proceedings, 1997, Atlanta, GA, September 11-12, 1997, IEEE, NY, NY, pages 103-111.
	AT	1	Joshi A. <i>et al.</i> , "On Disconnected Browsing of Distributed Information," Seventh International Workshop on Research Issues in Data Engineering, 1997 Proceedings, Birmingham, UK, April 7-8, 1997, IEEE Comput. Soc., Los Alamitos, CA, Pages 101-107.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
 1933.0010008

APPLICATION NO.
 09/864,293

APPLICANT
 Aufrecht *et al.*

FILING DATE
 May 25, 2001

GROUP
 2154

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2						
	AB2						
	AC2						
	AD2						
	AE2						
	AF2						
	AG2						
	AH2						
	AI2						
	AJ2						
	AK2						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>2</u>	Copy of Invitation to Pay Additional Fees, From PCT/US00/11438, Mailed June 5, 2003, 6 pages.
	AS	<u>2</u>	
	AT	<u>2</u>	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

COPY

1.56 IDS 1933.001GB06

Applicants: Aufricht *et al.*

Art Unit: 2154

Application 09/864,293

Examiner: (to be assigned)

Filed: May 25, 2001

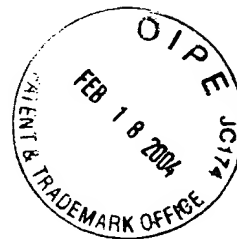
Docket: 1933.0010008

For: Interactive Advertisement Mechanism On
A Mobile Device

Atty: JSW

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. SKGF Cover Letter;
2. Third Supplemental Information Disclosure Statement;
3. Form PTO-1449 listing and accompanied by two (2) documents; and
4. One return postcard.



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February 18, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2154

Re: U.S. Utility Patent Application
Appl. No. 09/864,293; Filed: May 25, 2001
For: **Interactive Advertisement Mechanism On A Mobile Device**
Inventors: Aufricht et al.
Our Ref: 1933.0010008

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Third Supplemental Information Disclosure Statement;
2. Form PTO-1449 listing and accompanied by two (2) documents; and
3. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
February 18, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Jeffrey S. Weaver", followed by a horizontal line.

Jeffrey S. Weaver
Attorney for Applicants
Registration No. 45,608

JSW/sjc
231189_1.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Aufricht *et al.*

Appl. No.: 09/864,293

Filed: May 25, 2001

For: **Interactive Advertisement
Mechanism On A Mobile Device**

Confirmation No.: 3536

Art Unit: 2154

Examiner: (to be assigned)

Atty. Docket: 1933.0010008

Third Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first

cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).

☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☒ 7. Copies of the documents are submitted herewith.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO 1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Jeffrey S. Weaver", with a long horizontal flourish extending to the right.

Jeffrey S. Weaver
Attorney for Applicants
Registration No. 45,608

Date: 2-18-04

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1933.0010008APPLICATION NO.
09/864,293FIRST NAMED INVENTOR
Michael E. AufrechtFILING DATE
May 25, 2001ART UNIT
2154**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1						
	AB1						
	AC1						
	AD1						
	AE1						
	AF1						
	AG1						
	AH1						
	AI1						
	AJ1						
	AK1						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	WO 99/35802 A1	07/1999	PCT			Yes No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	Copy of Examination Report, From GB 0207917.6, Mailed December 5, 2003, 3 pages.
	AS	1	
	AT	1	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.